



TRANSPORTATION

Dave Geracl

Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
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E1-2029
DAW

April 28, 2006

Surface Transportation Board
Section of Environmental Analysis
1925 "K" Street NW -Suite 534
Washington, DC 20423-0001

RE: CSXT Proposed Abandonment
Harlan and Letcher Counties, KY
STB Docket AB-55 (Sub-No. 665X)

Gentlemen:

This refers to CSX Transportation's Notice of Exemption filed on April 4, 2006, requesting authority to abandon its rail line described above. Enclosed please find a copy of a letter dated April 19, 2006 (received April 28, 2006) from Mr. Larry Sowder of the Kentucky Department of Environmental Protection stating "The activity as described will result in the disturbance of more than one acre and will require coverage under the Storm Water General Permit for Construction Activities."

Sincerely,

Attachment

Copy: Mr. Steven Armbrust, CSXT, 500 Water Street-J150, Jacksonville, FL, 32202
Mr. Lou Gitomer, 118 Sunnymeadow Lane, Reisterstown, MD 21136



ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Ernie Fletcher
Governor

Frankfort Office Park
14 Reilly Road
Frankfort, Kentucky 40601
www.kentucky.gov

Lajuana S. Wilcher
Secretary

April 19, 2006

Mr. Dave Geraci, Manager
Network Ratioinalization
CSX Transportation
600 Water Street - J200
Jacksonville, Florida 32202

Re: Rail Line Abandonment
Harlan and Letcher Counties
Kentucky

Dear Mr. Geraci:

The Division of Water has reviewed your letter of February 14, 2006 describing the proposed work associated with the removal of 12.9 miles of rail line from Cumberland, Harlan County to Scotia, Letcher County. We can not concur that a permit under Section 402 will not be required. The activity as described will result in the disturbance of more than one acre and will require coverage under the Storm Water General Permit for Construction Activities (KYR10000). For your convenience the Notice of Intent (NOI-SW) for this permit can be obtained at the following web address:

http://www.water.ky.gov/homepage_repository/kpdes_permit_aps.htm

Should you have any questions regarding this matter, please contact me at (502) 564-2225, extension 472 or E-mail at Larry.Sowder@ky.gov.

Sincerely,

Larry J. Sowder, KPDES Permit Writer
Industrial Section
KPDES Branch
Division of Water

LJS:jm

c: Division of Water Files